

**Minutes of the
Waterfront Advisory Committee
August 18, 2015**

Present: Charlie Kane, Chairman
Ann Gallelli
Bruce Kauderer
Andy Levitt

Absent: Stuart Greenbaum

1. Charlie Kane called the meeting to order at 7:30 p.m.

2. REFERRALS

a) Village Board referral of Elliott Way Improvement Project to create a safe pedestrian and vehicular access link on Elliott Way between Senasqua Park and the Croton Yacht Club entrance and shoreline stabilization—preliminary consistency review

Mr. Tony Cioffi, from Site Design Consultants presented details on the Elliot Way Improvement Project (the proposed action). The scope of the project is from the North End of the Senasqua Park Parking area to the Croton Yacht Club. The overall project length is 775 linear feet. Included in the project is the widening of Elliot Way (two at-grade sections of sidewalk/bike paths and an elevated section) and additional improvements of the road, drainage and water main extension. Mr. Cioffe stated there would be some tree removal, but the plan is to restore vegetation to its natural habitat.

The 40 feet of elevated structure is made of precast concrete. The concrete system should last 50-100 years. The boardwalk will be cantilevered, but no equipment will be in the river. A turbidity screen will be installed. The same railing system as is on Croton Landing is proposed so that there is continuity.

The shoreline will be repaired and restored. Old sidewalk and concrete will be removed and new riprap and native vegetation planted. Elliott Way will be realigned around the Yacht Club, and the ramps will be handicap accessible.

Chairman Kane asked how the structure would be protected against ice in the winter; Mr. Cioffe responded that the boardwalk is above mean high water. There will be helical piles that are filled with concrete and the ice will not damage the concrete.

Ms. Gallelli asked about the length of time it would take for the proposed construction and Mr. Cioffe said approximately 90 days with a start date approximately in February and a completion date of about May 1st in time for recreations programs. They are still working on permits from the NYSDEC, Army Corps and the Westchester County Health Department (for the water main).

Mr. Kauderer stated that his main concern was safety and from his point of view there is not enough room on the walkway to accommodate both bicyclists and pedestrians. He thought that the walkway needed to be wider than 8' 6" to accommodate both pedestrians and bicyclists, otherwise it might be too dangerous for the pedestrians. Chairman Kane noted that the Water Control Commission had similar concerns, and Ms. Gallelli pointed out that the Bike/Pedestrian Committee also had expressed concerns. Ms. Gallelli stated that it would be up to the Village Board to decide on whether bicycles would be allowed on the path or should be restricted to only the road.

The Village Engineer noted that railing designs are different for bicyclists than for pedestrians. Mr. Cioffe stated that the DEC wanted the railing on the boardwalk to be away from the river; the DEC was very adamant that the water should go over the blocks and through the railing. The Village Engineer stated that with the proposed plan, the railing could get damaged over time. Mr. Cioffe responded that the design could be changed to make it more robust. Ms. Gallelli stated that the viability of the railing should be discussed.

In a review of the EAF, it was noted that "Elliott Way" and several other words were misspelled through the document and should be corrected. On p. 1, A. under "Project Location", it should say Croton Landing Park (the words "Point Waterfront" should be deleted). On p. 2, in C.2. c; the adopted municipal open space plans should also include the Greenway Vision Plan and the LWRP. On p. 3, in D.1.a, there are typos with the words "pedestrian" and "recreational". On the same page, D.1.e "Will proposed action be constructed in multiple phases? The answer should be NO, not YES, and D.1.e.i and all the checkboxes in (ii) should be blank.

On p. 5, D.2.d, iii, since the answer is "No", so that all the checkboxes under "YES" should not be answered.

On p. 7, D.2.k, "will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy" the answer should "NO" because the proposed action is for a recreational project not commercial or industrial.

On p. 11, E.2.l, the answer to "Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?" should be "NO" not "YES".

On p. 12, E.2.m, "Identify the predominant wildlife species that occupy or use the project site:" the answer should say "urban and suburban wildlife."

On p. 13, E3.h., the answer to "Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?" the answer should be "NO" not "YES" because the project site is not within five miles of an officially designated resource.

In a review of the Coastal Assessment Form, p. 1, B.3, there is a typo in the spelling of Elliott Way. On p. 2, C.1. should be YES to the questions “Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map” and yes to C1. a) Significant fish or wildlife habitats?

On p. 3, C2, e) the answer should be YES since there will be minor excavation in coastal waters. On p. 4, 4a)6., the answer should be YES, not NO since the proposed action is located in a flood prone area.

The Waterfront Advisory Committee recommends that Section D on p. 5, “Remarks or Additional Information” be answered.

The committee reviewed the 44 LWRP policies and determined that the following policies were relevant (see attached memo to the Village Board for explanations of policies):

POLICY 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.

POLICY 2: Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.

POLICY 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

POLICY 7A: The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.

POLICY 7B: Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

POLICY 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.

POLICY 7F: Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.

POLICY 7G: Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats.

POLICY 9: Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.

POLICY 9A: Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment.

POLICY 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.

POLICY 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

POLICY 11A: Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.

POLICY 12: Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

POLICY 13: The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

POLICY 13A: Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability.

POLICY 15: Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

POLICY 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.

POLICY 19A: Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.

POLICY 19B: Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.

POLICY 20: Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

POLICY 25: Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

POLICY 33: Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

POLICY 33B: Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.

POLICY 37: Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

POLICY 37A: Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.

POLICY 39: The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.

Mr. Kauderer made a motion for a recommendation of preliminary consistency, seconded by Mr. Levitt, and carried, in favor, by a vote of 4-0.

b) Village Board referral of Local Law Introductory 9 of 2015—Zoning amendment to rezone 1 Baltic Place from a RA-25 Residential District to a Commercial C-1 District and adding parcel to the North End Gateway district—preliminary consistency review.

In a review of the LWRP policies, the only policy that is applicable to this draft law is:

POLICY 1A: Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.

This policy is applicable to the proposed zoning amendment because zoning documents are being reviewed and amended. The proposed draft zoning amendment is consistent with this policy because by modifying the zoning district to a C-1 district with a Gateway overlay, it will create an opportunity for development. Although the 2003 comprehensive plan limits further development in this area, the comprehensive plan is in the process of being updated and revised to reflect current economic realities and encourage commercial vitality and growth.

Ms. Gallelli made a motion to recommend preliminary consistency, seconded by Mr. Kauderer, and carried, in favor, by a vote of 4-0.

3. Other Business

- a) The Village board has determined that the draft LWRP (proposed action) is a Type 1 action, and declares its intent to be Lead Agency for SEQRA purposes for the purpose of conducting a coordinated review—discussion.*

The committee acknowledges that the Board is Lead Agency for the revision of the LWRP. There was no further discussion at this time.

- b) 460 South Riverside Avenue—Special Permit Renewal and Modification application for Shoprite Supermarket--Request by applicant for another extension of time frame for the WAC to make its preliminary recommendation of consistency.*

The Waterfront Advisory Committee agreed to extend the preliminary review of Shoprite Special Permit application for another sixty days to expire on October 23, 2015. A motion was made for the extension by Mr. Levitt, seconded by Mr. Kauderer, and carried by a vote of 4-0.

3. APPROVAL OF MINUTES

Mr. Kauderer made a motion to approve the minutes of July 21, 2015, seconded by Ms. Gallelli and carried all in favor by a vote of 4-0.

4. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the WAC